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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Costa Rica, Czechia, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Israel, Italy, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Malta, Marshall Islands, Netherlands, New Zealand, Qatar, Republic of Korea, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Promotion and protection of human rights and fundamental freedoms, including the rights to peaceful assembly and freedom of association

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments, and bearing in mind the seventieth anniversary of the Universal Declaration of Human Rights,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, commonly referred to as the Declaration on human rights defenders, and all its subsequent resolutions on this subject, including its resolutions 66/164 of 19 December 2011, 68/181 of 18 December 2013, 70/161 of 17 December 2015 and 72/247 of 24 December 2017, and recalling also all resolutions related to the freedoms of peaceful assembly and association,

Reaffirming that everyone has the rights to freedom of peaceful assembly and of association and that no one may be compelled to belong to an association,

Recognizing that the effective exercise of the rights to freedom of peaceful assembly and of association is essential for the enjoyment of other human rights and freedoms and constitutes a fundamental pillar for building a democratic society and

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

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strengthening democracy, as it provides individuals with invaluable opportunities to, inter alia, express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, engage in religious observances or other beliefs, form and join trade unions and cooperatives, and elect leaders to represent their interests and hold them accountable, and bearing in mind that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing also that transparent, responsible, accountable, open and participatory government, responsive to the needs and aspirations of the people, is the foundation on which good governance rests, and that such a foundation is one of the indispensable conditions for the full realization of human rights, including the rights to peaceful assembly and freedom of association,

Gravely concerned by the grave and growing threats, risks and dangers faced by all individuals, online and offline, for exercising their rights to peaceful assembly and freedom of association, including women and other individuals who may face multiple and intersecting forms of discrimination, human rights defenders, including indigenous human rights defenders and environmental human rights defenders, and those defending persons belonging to minorities, including religious minorities, as well as labour leaders, youth, persons with disabilities and older persons, and civil society, and particularly journalists and media workers who report on their work, and the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through undue restrictions on, inter alia, the rights to freedom of opinion, expression, association or peaceful assembly, and through the abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Stressing the responsibility of Member States and encouraging stakeholders in all sectors of society and in their respective communities, including Governments and their representatives, with respect to all individuals exercising their rights to peaceful assembly and freedom of association, including women, human rights defenders, including indigenous human rights defenders and environmental human rights defenders, and those defending persons belonging to minorities, including religious minorities, as well as labour leaders, youth, persons with disabilities and older persons, and civil society, and particularly journalists and media workers, in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including killings, to categorically and clearly reject such practices and offences,

Reiterating that domestic law and administrative provisions and their application should not hinder but enable the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to the obligations and commitments of States under international human rights law,

Deploring violations and abuses of the rights to peaceful assembly and freedom of association by State and non-State actors, including arbitrary detentions of peaceful protestors and individuals on the basis of their political opinion and affiliation, as well as individuals identified as political opponents,

1. *Urges* States to take concrete steps to prevent and put an end to the arbitrary arrest and detention of peaceful protestors and human rights defenders, and in this regard strongly urges the release of persons detained or imprisoned, in violation of the obligations of States under international human rights law, for exercising their human rights and fundamental freedoms of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights;

2. *Strongly condemns* the use of harassment, intimidation or extrajudicial killing by State and non-State actors to violently suppress and silence individuals, par icularly young people and students, for participating in peaceful protests to call for democratic reforms;

3. *Calls upon* all States to ensure that the rights to freedom of expression, peaceful assembly and association are fully protected online and offline, particularly by refraining from shutting down the Internet and from restricting Internet content in violation of international human rights law, and by ending attacks by States and by taking steps to end attacks by non-State actors against journalists and other media workers covering demonstrations and protests, and by ending government shutdowns of news outlets attempting to report on such protests, and condemns unequivocally all attacks and violence against journalists and media workers, including through attacks on, or the forced closure of, their offices and media outlets, in both conflict and non-conflict situations;

4. *Condemns* the use by State and non-State actors of slander, threats and attacks against members of civil society, and in particular against religious leaders, including when they are attempting to use their good offices to mediate between the State and individuals trying to exercise their right to peacefully assemble;

5. *Urges* States to acknowledge, through public statements, policies, programmes or laws, the important and legitimate role of individuals, groups and organs of society in the promotion of all human rights and fundamental freedoms, including the rights to freedom of peaceful assembly and association.